

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF/RESPONDENT

V.

Civil No. 04-5142  
Criminal No. 02-50030-001

HECTOR MONTALVO-ORTEGA

DEFENDANT/MOVANT

O R D E R

On this 19<sup>th</sup> day of August 2005, there comes on for consideration the report and recommendation filed in this case on July 28, 2005, by the Honorable Beverly Stites Jones, United States Magistrate for the Western District of Arkansas. (Doc. 43.) No objections have been filed to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, movant's request for relief is **DENIED** and his 28 U.S.C. § 2255 motion is **DISMISSED**.

IT IS SO ORDERED.

/S/JIMM LARRY HENDREN  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE